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| 09/754,243 909 | 01/05/2001 7590 09/08/2003 | Rudolfus A.T.M. Van Benthem | P 275922 9637US/CONT 3640 | |
| PILLSBURY WINTHROP, LLP | | | EXAMINER | |
| P.O. BOX 10 MCLEAN, V | | | BERMAN, SUSAN W | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 1711 | |
| | | | DATE MAILED: 09/08/2003 | |

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary Examiner Susan W Berman Art Unit | | | | N | | | | | |
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| ## Deficie Action Summary Examiner Susan W Berman 1711 | • | Application No. | Applicant(s) | | | | | | |
| Susan W Berman 1711 | .4 | 09/754,243 | VAN BENTHEM ET AL | | | | | | |
| - The MALING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ③ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Estanciano dum may be a valiable under the processor of J CPR 1.136(a). In no event, however, may a reply be timely filled If the period for reply specified above is less than 18by (30) (asy, a reply within the staticity minimum of bibity (30) says will be considered timely. If the period for reply specified above is less than 18by (30) (asy, a reply within the staticity minimum of bibity (30) says will be considered timely. If the period for reply specified above is less than 18by (30) (asy, a reply within the staticity of the staticity period will specified to reply within the set or ethinology meriod for reply with the set or ethinology and will explain (she MONTH) from the residual contains an application to incommend BANDONED (30 U.S.C. § 133). Responsive to communication(s) filled on 06-27-2003. 2a) This action is FINAL. 2b) This action is non-final. 3) since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex partie Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 2,39-23 and 27-34 is/are pending in the application. 4a) Of the above claim(s) 2,39-23 and 34 is/are withdrawn from consideration. 5) Claim(s) is/are rejected. 7) Claim(s) is/are rejected to by the Examiner. Application Papers 9) The specification is objected to by the Examiner. Application Papers 9) The proposed drawing correction filed on is an approved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The orath or declaration is objected to by the Examiner. If approved, corrected drawings are required in reply to this Office action. 13 All by Some * C) None of: 14 Certified copies of the priority documents have been received i | Office Action Summary | Examiner | Art Unit | | | | | | |
| Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MALLING DATE OF THIS COMMUNICATION. - Subrestins of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filled - Status of the provision of the provision of 37 CFR 1.136(a) and event, however, may a reply be timely filled - If the princid reply specified above, he maximum statutory period will adoly part will be considered timely. - If the princid reply specified above, he maximum statutory period will adoly part will be capted above. The maximum statutory period will adoly any will be considered timely. - If the princid reply specified above, he maximum statutory period will adoly any will be considered timely. - If the princid reply specified above, he maximum statutory period will adoly any will be considered timely. - Any reply received by the Officie are than these months after the mailing date of this communication, even if timely filled, may reduce directly seemed placed to the specified above, he maximum statutory period will adoly any will be considered timely. - Any reply received by the Officie after the time and seemed placed to this communication. - Any reply received by the Officie after the time and seemed placed to this communication is non-final. - Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims - Application of Claims - Application of Claims - Application is objected to by the Examiner. - Application Papers - Olimitics 2.9.2.2 and 27.34 is/are pending in the application requirement. - Application Papers - Olimitics 2.9.2.2 and 27.34 is/are pending in the application of a see the provision of a | | | | | | | | | |
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Page 2

Application/Control Number: 09/754,243

Art Unit: 1711

Election/Restrictions

Applicant's election without traverse of the claims of Group II wherein the compound is a polymeric compound and the species of condensation polymer is a polyesteramide in Paper No. 25 is acknowledged. New claims 33 and 34 are grouped with Group II. Applicant's understanding that those compounds in which "A" in formula I is a condensation polymer are restricted from those compounds in which "A" is hydrogen or a mono-valent or poly-valent organic group is confirmed.

Claims 2, 3, 9-21, wherein the species is a compound, and compound claims 22 and 23 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made without traverse in Paper No. 25.

Allowable Subject Matter

Claims 27-33 are allowed.

The subject matter of claims 2, 3, 9-21 and 34 wherein "A" in the formula is "P" as defined in the claim is allowable for the same reasons as claims 27-34. However, if claim 2 were amended to recite only the allowable subject matter, the claim would duplicate claim 27.

The following is a statement of reasons for the indication of allowable subject matter: The prior art of record and otherwise known to the examiner does not disclose radiation curable compounds of formula (I) set forth in instant claims 2 and 27 wherein "A" is a polymer "P" and is one of the kinds of polymer set forth in the claim.

Nason et al (4,656,202) disclose a cellulosic polymer.

Stockinger et al (6,479,587 or WO 99/14253, published 03-25-1999) disclose crosslinkable polyureas, including polyurethane polyureas, comprising crosslinkable groups corresponding to those in instantly claimed formula (I).

Application/Control Number: 09/754,243 Page 3

Art Unit: 1711

Takanashi et al (4,209,581) disclose photocurable resins obtained by polycondensiing an alkylol derivative or alkylated alkylol derivative of urea or thiourea with an N-alkylol(meth)acrylamide.

The definition of "A" in the instant claims does not include polyureas.

Tomalia et al (3,928,499) disclose unsaturated poly(amide-esters) wherein the polymer backbone is a vinyl addition polymer.

Goldenberg (4,665,123) discloses polyvinyl alcohol derivatives containing pendant (meth)acryloyl groups bonded through urethane groups.

Conclusion

This application contains claims 2, 3 and 9-23 drawn to an invention nonelected with traverse in Paper No. 25. Cancelation of nonelected claims or other appropriate action (37 CFR 1.144) is suggested. See the attached interview summary.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Berman whose telephone number is (703) 308-0040.

The fax number for this group is (703) 872-9310 or, for submissions after Final Rejection, (703) 872-9311.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist at telephone number (703) 308-0661.

Dusan Bermo

Susan Berman Primary Examiner Art Unit 1711

S B 9/5/03